

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

LARRY DAVIS, SR.,

Civil 03-5017 JRT/FLN

Plaintiff,

v.

O R D E R

FIDELITY CLEANING CO.,

Defendant.

LARRY DAVIS, SR., 1247 St. Anthony Tower, St. Paul, Minnesota 55104, *pro se* plaintiff.

JOSEPH G. SCHMITT, **HALLELAND, LEWIS, NILAN, SIPKINS & JOHNSON**,
220 South Street, Suite 600, Minneapolis, Minnesota 55402, for defendant.

Based upon the Findings of Fact, Conclusions of Law, and Recommendation by
United States Magistrate Judge Franklin L. Noel dated July 8, 2005, all the files and records,
and no objections having been filed to said Report and Recommendation,

IT IS HEREBY ORDERED that Defendant's motion for summary judgment
[Docket No. 42] is GRANTED.

DATED: August 2 2005.
at Minneapolis, Minnesota

s/John R. Tunheim
JOHN R. TUNHEIM
United States District Judge